

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

V.

MICHAEL KONING, LOWELL
BAISDEN, and SUSAN BAISDEN-
KONING,

Defendants.

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4:09CR3031

MEMORANDUM AND ORDER

The defendants have moved to continue the pretrial motion deadline currently set for January 29, 2010. (Filing No. [52](#) & [53](#)). Defense counsel request an additional ninety days, and explain they need this additional time to obtain documents potentially missing from the 29,000 documents already produced, and to isolate and perhaps informally resolve issues over document discrepancies. Counsel for the government does not oppose the requested continuance. The court finds the motions to continue should be granted.

IT IS ORDERED:

- 1) The defendants' unopposed motions to continue, (filing nos. [52](#) & [53](#)), are granted, and the defendants' pretrial motions and briefs shall be filed on or before April 26, 2010.
- 2) As previously determined, (see filing no. [21](#), ¶ 6), this case is "unusual and complex;" it would be unreasonable for the court to require counsel and the parties to be ready for trial within the time restrictions of the Speedy Trial Act; and therefore this case is exempted from the time restrictions of that Act. See 18 U.S.C. 3161(h)(7)(B)(ii)

DATED this 23rd day of January, 2010.

BY THE COURT:

s/ Cheryl R. Zwart

Cheryl R. Zwart

United States Magistrate Judge